

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Yasmin Thanavala et al.	Art Unit:	1651
Serial No:	09/420,695		
Filed:	10/19/1999		
Examiner:	M. Flood		
For:	ORAL IMMUNOLOGY USING PLANT PRODUCT CONTAINING HEPATITIS SURFACE ANTIGEN		

PETITION TO CORRECT INVENTORSHIP UNDER 37 C.F.R. §1.48

Commissioner for Patents
Washington, D.C. 20231

Sir:

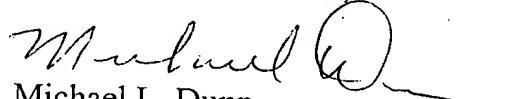
After filing of the above-identified patent application, it was determined that Hugh S. Mason should have been named as a joint inventor.

As evidenced by the enclosed Declaration, the above invention was made and reduced to practice by inventors, Yasmin Thanavala, Charles J. Arntzen and Hugh S. Mason. Without deceptive intent at the time of filing, it was not realized that Dr. Hugh S. Mason should have been added as an inventor for being intimately involved in design, creation and characterization of the transgenic plant material used in the studies incorporated into this patent application, which activities took place at his laboratory at Boyce Thompson Institute for Plant Research, Inc., Room 407, Tower Road, Ithaca, New York 14853, either by Dr. Mason or others under his direct supervision.

It is also agreed upon by the two assignees in this patent application, namely Health Research, Inc. and Boyce Thompson Institute for Plant Research, Inc., that Dr. Hugh S. Mason should be added as a co-inventor along with Dr. Yasmin Thanavala and Dr. Charles J. Arntzen as evidenced by the two enclosed Declarations under 37 CFR §1.48(a)(4).

In view of the foregoing and the enclosed Declarations of Yasmin Thanavala, Charles J. Arntzen, Hugh S. Mason and the Assignees, it is hereby respectfully requested that Hugh S. Mason be added as an inventor to the above-identified patent application.

Respectfully submitted,



Michael L. Dunn

Attorney for Applicant(s)

Reg. No. 25,330

P.O. Box 10

Newfane, New York 14108

Telephone: (716) 433-1661

MLD/csc

RPP:156A US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Yasmin Thanavala et al.	Art Unit:	1651
Serial No:	09/420,695		
Filed:	10/19/1999		
Examiner:	M. Flood		
For:	ORAL IMMUNOLOGY USING PLANT PRODUCT CONTAINING HEPATITIS SURFACE ANTIGEN		

**CONSENT OF ASSIGNEE TO ADD INVENTORS
UNDER 37 CFR §1.48(a)(5)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

WHEREAS, Boyce Thompson Institute for Plant Research, Inc., an Assignee of record of the above-identified patent application as recorded in the U.S. Patent and Trademark Office records at Reel 010574 and Frame 0369, and as evidenced by the enclosed copy of the Notice of Recordation of Assignment document;

THAT, Boyce Thompson Institute for Plant Research, Inc., has been notified of the situation wherein one inventor not previously named in the above-identified U.S. patent application should be added;

THAT, the originally named inventor Charles J. Arntzen has consented to the addition of the new inventor Hugh S. Mason and that the new inventor Hugh S. Mason

believes he has contributed to the invention and ~~should be subsequently~~ added as an inventor;

THAT, Boyce Thompson Institute for Plant Research, Inc., hereby consents to the addition of the aforementioned inventor, Hugh S. Mason.

THAT, all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

For and on Behalf of
Boyce Thompson Institute for Plant
Research, Inc.

Dated:

4/27/01

Typed Name: Joyce L. Frank
Title: Director of Licensing & Intellectual
Property Management



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APRIL 28, 2000

DUNN & ASSOCIATES
MICHAEL L. DUNN
P.O. BOX 10
NEWFANE, NY 14108

PTAS

DUNN & ASSOCIATES

HW - 5 2000



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/07/2000

REEL/FRAME: 010574/0369
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ARNTZEN, CHARLES J.

DOC DATE: 01/25/2000

ASSIGNEE:

BOYCE THOMPSON INSTITUTE FOR PLANT
RESEARCH, INC.
TOWER ROAD
ITHACA, NEW YORK 14853-1801

SERIAL NUMBER: 09420695
PATENT NUMBER:

FILING DATE: 10/19/1999
ISSUE DATE:

SHIRLIE SIMON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

03-02-2000

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks thereof.

RECEIVED

101279318

documents or copy

1. Name of conveying party(ies):

Charles J. Arntzen

200 FEB -7 PM 12: 23

OPR/FINANCE

Additional name(s) of conveying party(ies) attached? [] Yes [X] No

3. Nature of Conveyance:

[X] Assignment [] Merger

[] Security Agreement [] Change of Name

[] Other _____

Execution Date: January 25, 2000

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/420,695

B. Patent No.(s)

Additional numbers attached? [] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Dunn & Associates

Internal Address: P.O. Box 10

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

[X] Enclosed

[] Authorized to be charged to deposit account

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

1/22/2000 REGISTRATION 09880054 09420695

FE8501

40.00 OP

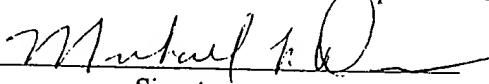
DO NOT USE THIS SPACE

9. Statement and signature.

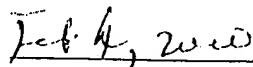
To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document; however, the above information is not to be used to interpret the document which speaks for itself.

Michael L. Dunn

Name of Person Signing



Signature



Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments

Washington, D.C. 20231

ASSIGNMENT OF INVENTION

WHEREAS, I, CHARLES J. ARNTZEN residing at 1005 Highland Road, Ithaca, New York 14850-1447, have invented certain new and useful improvements in:

ORAL IMMUNOLOGY USING PLANT PRODUCT CONTAINING HEPATITIS SURFACE ANTIGEN

for which I have made application for Letters Patent in the United States; and for which the specification was filed on October 19, 1999, and assigned U.S. Serial No. 09/420,695;

AND WHEREAS, BOYCE THOMPSON INSTITUTE FOR PLANT RESEARCH, INC., Tower Road, Ithaca, New York 14853-1801, a corporation of the State of New York, is desirous of acquiring all interest in said invention, said application disclosing the invention and any Letters Patent which may be granted therefor:

NOW THIS INDENTURE WITNESSETH, that for the sum of One Dollar, and other valuable consideration to me in hand paid, the receipt whereof is hereby acknowledged, I hereby assign, sell and transfer unto said BOYCE THOMPSON INSTITUTE FOR PLANT RESEARCH, INC. the entire right, title and interest in said invention, said application, including any divisions and continuations thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted for said invention, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to me with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto;

And I hereby authorize and request the Commissioner of Patents to issue said United States Letters Patent to said BOYCE THOMPSON INSTITUTE FOR PLANT RESEARCH, INC., as the Assignee of the whole right, title and interest thereto;

And I further agree to execute all necessary and lawful future documents, including assignments in favor of BOYCE THOMPSON INSTITUTE FOR PLANT RESEARCH, INC., or its designee as BOYCE THOMPSON INSTITUTE FOR PLANT RESEARCH, INC., or its

Assignee may from time-to-time present to me in order to perfect title in said invention, modifications, and improvements in said invention, applications and Letters Patent of the United States and countries foreign thereto;

And I further agree to sign and properly execute such necessary and lawful papers for application for foreign patents, for filing subdivisions of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid invention, as the Assignee thereof shall hereafter require and prepare at its own expense.

WITNESS, my hand and seal this 25 day of January, 2000.

WITNESS:

Linda Kuefe

Charles J. Arntzen
Charles J. Arntzen

WITNESS:

M M Kayske

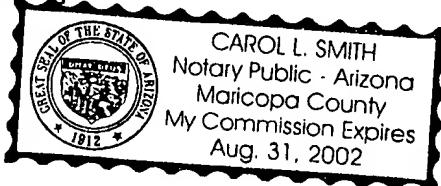
STATE OF ~~NEW YORK~~ Arizona

COUNTY OF Maricopa

SS:

On this 25 day of Jan in the year of 2000, before me, the subscriber, personally appeared CHARLES J. ARNTZEN to me known to be the person described in and who executed the foregoing instrument, and who acknowledged that he executed the same.

[SEAL]



Carol L. Smith
Notary Public

RPP:156A US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Yasmin Thanavala et al.	Art Unit:	1651
Serial No:	09/420,695		
Filed:	10/19/1999		
Examiner:	M. Flood		
For:	ORAL IMMUNOLOGY USING PLANT PRODUCT CONTAINING HEPATITIS SURFACE ANTIGEN		

**CONSENT OF ASSIGNEE TO ADD INVENTORS
UNDER 37 CFR §1.48(a)(5)**

Commissioner for Patents
Washington, D.C. 20231

Sir:

WHEREAS, Health Research, Inc., an Assignee of record of the above-identified patent application as recorded in the U.S. Patent and Trademark Office records at Reel 010682 and Frame 0660, and as evidenced by the enclosed copy of the Notice of Recordation of Assignment document;

THAT, Health Research, Inc., has been notified of the situation wherein one inventor not previously named in the above-identified U.S. patent application should be added;

THAT, the originally named inventor Yasmin Thanavala has consented to the addition of the new inventor Hugh S. Mason and that the new inventor Hugh S. Mason

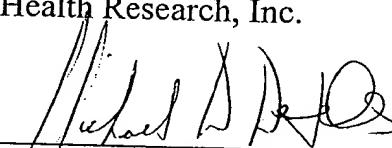
believes he has contributed to the invention and should be subsequently added as an inventor;

THAT, Health Research, Inc., hereby consents to the addition of the aforementioned inventor, Hugh S. Mason.

THAT, all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

For and on Behalf of
Health Research, Inc.

Dated: 5/2/01


Michael D. DeLellis
Director of Operations



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JUNE 08, 2000

DUNN & ASSOCIATES
MICHAEL L. DUNN
P.O. BOX 10
NEWFANE, NY 14108

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DUNN & ASSOCIATES

JUN 19 2000



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RECORDATION DATE: 03/06/2000

REEL/FRAME: 010682/0660
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

THANAVALA, YASMIN

DOC DATE: 12/22/1999

ASSIGNEE:

HEALTH RESEARCH, INC.
ELM AND CARLTON STREETS
BUFFALO, NEW YORK 14263

SERIAL NUMBER: 09420695
PATENT NUMBER:

FILING DATE: 10/19/1999
ISSUE DATE:

LAWAN FLETCHER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

To the Honorable Commissioner of Patents and Trademarks
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101320/54

documents or copy

1. Name of conveying party(ies): MAR - 6 PM 2:05
Yasmin Thanavala
OPR/FINANCE

2. Name and address of receiving party(ies)

Name: **Health Research, Inc.**
Internal Address: Elm and Carlton Streets

Additional name(s) of conveying party(ies) attached? [] Yes [X] No

3. Nature of Conveyance:

[X] Assignment [] Merger
 [] Security Agreement [] Change of Name
 [] Other _____

Street Address: **same as above**City: **Buffalo** State: **New York** ZIP: **14263**

Additional name(s) & address(es) attached? [] Yes [X] No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

09/420,695

B. Patent No.(s)

Additional numbers attached? [] Yes [X] No

5. Name and address of party to whom correspondence concerning document should be mailed:

6. Total number of applications and patents involved: **1**Name: **Dunn & Associates**7. Total fee (37 CFR 3.41).....\$ **40.00**Internal Address: **P.O. Box 10**

[X] Enclosed

Street Address: **same as above**

[] Authorized to be charged to deposit account

City: **Newfane** State: **NY** ZIP: **14108**

8. Deposit account number:

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document; however, the above information is not to be used to interpret the document which speaks for itself.

Michael L. Dunn

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: **4**

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments

Washington, D.C. 20231

ASSIGNMENT OF INVENTION

WHEREAS, I, YASMIN THANAVALA residing at 150 Presidio Place, Williamsville, New York 14221, have invented certain new and useful improvements in:

ORAL IMMUNOLOGY USING PLANT PRODUCT CONTAINING HEPATITIS SURFACE ANTIGEN

for which I have made application for Letters Patent in the United States; and for which the specification was filed on October 19, 1999, and assigned U.S. Serial No. 09/420,695;

AND WHEREAS, **HEALTH RESEARCH, INC.**, Roswell Park Cancer Institute, Elm & Carlton Streets, Buffalo, New York 14263, a corporation of the State of New York, is desirous of acquiring all interest in said invention, said application disclosing the invention and any Letters Patent which may be granted therefor:

NOW THIS INDENTURE WITNESSETH, that for the sum of One Dollar, and other valuable consideration to me in hand paid, the receipt whereof is hereby acknowledged, I hereby assign, sell and transfer unto said **HEALTH RESEARCH, INC.**, the entire right, title and interest in said invention, said application, including any divisions and continuations thereof, and in and to any and all Letters Patent of the United States, and countries foreign thereto, which may be granted for said invention, and in and to any and all priority rights, Convention rights, and other benefits accruing or to accrue to me with respect to the filing of applications for patents or securing of patents in the United States and countries foreign thereto;

And I hereby authorize and request the Commissioner of Patents to issue said United States Letters Patent to said **HEALTH RESEARCH, INC.**, as the Assignee of the whole right, title and interest thereto;

And I further agree to execute all necessary and lawful future documents, including assignments in favor of **HEALTH RESEARCH, INC.**, or its designee as **HEALTH RESEARCH, INC.**, or its Assignee may from time-to-time present to me in order to perfect title

in said invention, modifications, and improvements in said invention, applications and Letters Patent of the United States and countries foreign thereto;

And I further agree to sign and properly execute such necessary and lawful papers for application for foreign patents, for filing subdivisions of said application for patent, and/or, for obtaining any reissue or reissues of any Letters Patent which may be granted for my aforesaid invention, as the Assignee thereof shall hereafter require and prepare at its own expense.

WITNESS, my hand and seal this 22 day of Dec., 1999.

WITNESS:

Howard T. Wallace II

Yasmin Thanavala,
Yasmin Thanavala

WITNESS:

Galing Alvin

STATE OF NEW YORK

SS:

COUNTY OF Erie

On this 22nd day of December in the year of 1999, before me, the subscriber, personally appeared YASMIN THANAVALA to me known to be the person described in and who executed the foregoing instrument, and who acknowledged that he executed the same.

[SEAL]

CHERYL A. ZUBER
Notary Public, State of New York
No. 4865348
Qualified in Erie County
My Commission Expires July 1, 2000

Cheryl A. Zuber
Notary Public

Address correction for Yasmin Thanavala:

157 Presidio Place, Williamsville, New York 14221

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Yasmin Thanavala et al. Art Unit: 1651
Serial No: 09/420,695
Filed: 10/19/1999
Examiner: M. Flood
For: ORAL IMMUNOLOGY
USING PLANT PRODUCT
CONTAINING HEPATITIS
SURFACE ANTIGEN

DECLARATION UNDER 37 C.F.R. §1.48(a)(2)

Commissioner for Patents
Washington, D.C. 20231

Sir:

Yasmin Thanavala, Charles J. Arntzen and Hugh S. Mason declare:

THAT, Yasmin Thanavala and Charles J. Arntzen were the originally named inventors in the above-identified U.S. Patent Application;

THAT, at the time of filing the above-identified patent application, Yasmin Thanavala and Charles J. Arntzen inadvertently overlooked or did not realize that Hugh S. Mason had made a significant contribution to the conception of the invention through the design, creation and characterization of the transgenic plant material used in the studies incorporated into this patent application;

THAT, after about one year after the filing of the above application, it was brought to the attention of Boyce Thompson Institute for Plant Research, Inc. that Dr. Hugh

Mason should have been added as an inventor and that Yasmin Thanavala, Charles J. Arntzen and Hugh S. Mason all agree that the three of them are joint inventors and Hugh S. Mason should have been named as an inventor in the originally filed patent application;

THAT, the omission of Hugh S. Mason was in error and without deceptive intent; and

THAT, all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 24 April, 2001

Yasmin Thanavala
Yasmin Thanavala

Dated: 17 April, 2001

Charles J. Arntzen
Charles J. Arntzen

Dated: 27 April 2001

Hugh S. Mason
Hugh S. Mason